

REMARKS

This paper is responsive to the Office Action dated December 31, 2007. All rejections and objections of the Examiner are respectfully traversed. Reconsideration and further examination are respectfully requested.

The present claim amendments are intended to clarify and more precisely claim the present invention. Support for the present claim amendments is found throughout the Specification as originally filed. For example, support for the present claim amendments is found in lines 7-19 on page 15, and from line 15 on page 19 through line 2 on page 29 of the Specification as originally filed. No new matter has been added.

The Examiner rejected claims 3-5, 7, 8, 13-15, 17, 18, 23-25, 27 and 28 for obviousness under 35 U.S.C. 103, citing the combination of United States patents 7,185,290 ("Cadiz") and 7,185,290 ("Canfield"). Applicants respectfully traverse these rejections. The Examiner has failed to cite prior art with regard to significant features of the present independent claim 4, as a result of simply cutting and pasting portions of the previous rejection that refer to the now disqualified Kaminsky et al. reference.

Cadiz discloses a system for providing peripheral awareness of information to a user that may be determined automatically, or specified by the user. The information provided by Cadiz is automatically tracked and provided in an interactive peripheral display to the user. Cadiz determines or specifies, tracks or watches, and provides the information using a customizable dynamic encapsulated object, a "ticket," that when paired with a "viewer," provides peripheral awareness of information to the user, and that are sharable among users, and may be copied, cut, pasted, saved, transmitted, dragged and dropped from web pages, etc., like any other electronic file using conventional techniques.

Canfield discloses a user interface that enables user perception of information regarding a communications session and that leverages an instant messaging platform. The user interface of Canfield includes an instant messaging application user interface and one or more tear-off elements corresponding to ongoing instant messaging communications sessions. Each tear-off element in Canfield is configured to enable perception and selection by a user of a corresponding instant messaging communications session.

Nothing in the combination of Cardiz and Canfield discloses or suggests a method of providing a local user of an instant messaging system with updated status information regarding at least one remote user, including:

obtaining, by an awareness client application process executing on a local computer system, from an associated awareness server application process executing on a server computer system, an online status of said remote computer system user;

presenting, by said awareness client application process, a representation of said remote computer system user, wherein said representation of said remote computer system user includes an indication of said online status of said remote computer system user;

obtaining, by said awareness client application process on said local computer system, an updated status message associated with said remote computer system user, wherein said updated status message includes detail information and activity information regarding said remote computer system user other than said online status of said remote computer system user;

modifying said indication of said online status of said remote computer system user to include an indication that said updated status message associated with said remote computer system user is available, wherein said modifying does not present said updated status message;

. . . (emphasis added)

as in the present independent claim 4. In the Office Action, with regard to the first *obtaining* step and the *presenting* step of claim 4, the Examiner cites column 11 line 65 through column 12 line 14 of Cadiz. Then Examiner then cites “(page 4, paragraph 55)” and “(page 4, paragraph 48)” with regard to the above highlighted second *obtaining* step and *modifying* step of

claim 4. However, these citations to “page 4” have apparently been cut and pasted from the previous rejection, and refer to portions of the now disqualified Kaminsky et al. reference. Accordingly, the Examiner has failed to cite any portions of the Cadiz or Canfield reference (or any other reference) that teach or suggest the above highlighted second *obtaining* step and *modifying* step of claim 4. Moreover, in contrast to these express features of the present independent claim 4, Cadiz specifically discloses graphical representations that visually represent the *communications availability or status for each communications contact using conventional social queues to indicate contact availability or status*, while Canfield discloses tear-off elements that include a status indicator that indicates *whether a new IM message in a corresponding IM session remains pending for review*. Neither Cadiz nor Canfield, taken independently or in combination, discloses or suggests any system or method that includes obtaining an updated status message associated with a remote computer system user, wherein the updated status message includes detail information and activity information regarding the remote computer system user other than the online status of the remote computer system user, and modifying an indication of an online status of the remote computer system user to include an indication that the updated status message associated with the remote computer system user is available, wherein the modifying does not present the updated status message, as in the present independent claim 4. The rejection does not indicate any portions of the cited references that may be relevant to these features of the present independent claim 4, and instead improperly cites sections from the previously disqualified Kaminsky et al. reference.

For the above reasons, Applicants respectfully urge that the Examiner has not established a *prima facie* case of obviousness under 35 U.S.C. 103 with regard to the present independent

claim 4. As to claims 3, 5, 7 and 8, they each depend from claim 4, and are respectfully believed to be patentable over the combination of Cadiz and Canfield for at least the same reasons.

Dependent claims 6, 9 and 10 also stand rejected for obviousness under 35 U.S.C. 103 based on combinations of Cadiz and Canfield with United States patent publication 2004/0183829 (“Kontny”) and United States patent 6,697,840 (“Godefroid”). As discussed in detail above, the combination of Cadiz and Canfield does not disclose or suggest all the features of independent claim 4, from which claims 6, 9 and 10 depend. The combination of Kontny and/or Godefroid with Cadiz and Canfield does not remedy the above described shortcomings in the teachings of Cadiz and Canfield with regard to independent claim 4, since neither Kontny nor Godefroid discloses or suggests obtaining an updated status message associated with a remote computer system user, wherein the updated status message includes detail information and activity information regarding the remote computer system user other than the online status of the remote computer system user, and modifying an indication of an online status of the remote computer system user to include an indication that the updated status message associated with the remote computer system user is available, wherein the modifying does not present the updated status message.

For the above reasons Applicants respectfully urge that the combinations of Kontny and/or Godefroid with Cadiz and Canfield fail to support a *prima facie* case of obviousness with regard to the present independent claim 4. As claims 6, 9 and 10 each depend from claim 4, they are respectfully believed to be patentable over the cited combinations for at least the same reasons.

Reconsideration of all remaining claims is respectfully requested.

Applicants have cancelled claims and amended claims. Applicants are not conceding in this application that unamended claims are not patentable over the art cited by the Examiner, as the present claim amendments are only for facilitating expeditious prosecution of allowable subject matter. Applicants respectfully reserve the right to pursue the unamended claims in one or more continuations and/or divisional patent applications.

Applicants have made a diligent effort to place the claims in condition for allowance. However, should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone Applicants' Attorney at the number listed below so that such issues may be resolved as expeditiously as possible.

For these reasons, and in view of the above amendments, this application is now considered to be in condition for allowance and such action is earnestly solicited.

Respectfully Submitted,

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Date

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